

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE

ERIC STEPHEN FREEZE,

Plaintiff,

v.

ELIZABETH E. GALLAGHER, JOSE T.
ACUNA, ANN G. FREEZE REVOCABLE
TRUST and JAMES MASSINGALE AND
ANGELA MASSINGALE

Defendants.

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) Case No. 2:23-cv-01135-RSM
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) DEFENDANT JOSE T. ACUNA'S JOINDER
) TO MOTION TO DISMISS FILED BY
) DEFENDANTS ANN G. FREEZE
) REVOCABLE TRUST, ELIZABETH
) GALLAGHER AND JAMES AND ANGELA
) MASSINGALE
)
)

I. INTRODUCTION

Defendant JOSE T. ACUNA, hereby joins in the Motion to Dismiss filed by Defendants ANN G. FREEZE REVOCABLE TRUST, ELIZABETH GALLAGHER AND JAMES AND ANGELA MASSINGALE, (Docket #63) and the Declaration of Paul W. Taylor in Support of Defendants' Motion to Dismiss (Docket #64) and incorporates those pleadings and exhibits as if completely set forth herein.

II. CONCLUSION

This Court should dismiss Mr. Freeze's Complaint with prejudice and without leave to amend as to Defendant JOSE T. ACUNA. Mr. Freeze's claims are barred by the doctrines of

DEFENDANT ACUNA JOINDER TO MOTION TO
DISMISS - 1

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1 res judicata and collateral estoppel having been fully litigated and adjudicated in Skagit County
2 Superior Court which held unequivocally that Mr. Freeze had “no legal or equitable interest in
3 the Property” and by the ruling of this court in Mr. Freeze’s prior action filed under Case No.
4 2:22-cv-01844-JLR which dismissed Mr. Freeze’s claims with prejudice.

5 Mr. Freeze’s claims are meritless, without any legal or factual basis, fail to state any
6 claim within the jurisdiction of this court and are res judicata in both state and federal court.

7
8 LCR 7(e) Length Certification

9 I certify that this memorandum contains 273 words, in compliance with the Local Civil
10 Rules.

11 DATED this July 11, 2024.

12 SKAGIT LAW GROUP, PLLC

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15 By 
16 CRAIG E. CAMMOCK, WSBA #24185
17 Attorneys for Defendant ACUNA
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